

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:98CV394

CALVIN R. LUCKEY, and wife PEGGY G.)	
LUCKEY, <i>et al.</i>,)	
)	
This document pertains to:)	
KENNETH G. SMITH, and wife MARGARET)	
SMITH,)	
)	
Plaintiffs,)	
)	
v.)	
)	
ACandS, INC., et al.,)	
)	
Defendants.)	

ORDER OF DISMISSAL

THIS MATTER is before the Court on motion by Plaintiffs Kenneth G. Smith and wife, Margaret Smith, and Defendant A.W. Chesterton Company, to dismiss, with prejudice, all claims of said Plaintiffs against A.W. Chesterton Company.

It appearing that grounds exist to permit said Plaintiffs to voluntarily dismiss this action against A.W. Chesterton Company with prejudice,

IT IS, THEREFORE, ORDERED that the joint motion of the captioned Plaintiffs and the Defendant A. W. Chesterton Company to dismiss is **ALLOWED**, and the claims of Plaintiffs Kenneth G. Smith and wife, Margaret Smith, against Defendant A.W. Chesterton Company, are hereby **DISMISSED WITH PREJUDICE**.

Signed: February 22, 2007

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

